

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ABQ UPTOWN, LLC,  
a Delaware Limited Liability Company,

Plaintiff,

vs.

No. CIV 13-0416 JB/KK

DAVIDE ENTERPRISES, LLC,  
a New Mexico Limited Liability Company;  
DAWN DAVIDE; and  
CHRISTOPHER LUTRELL,

Defendants.

**ORDER**<sup>1</sup>

**THIS MATTER** comes before the Court on Plaintiff ABQ Uptown, LLC's Motion for Order to Show Cause Why the Court Should Not Order the Sanction of Default Against Defendant Davide, filed July 23, 2014 (Doc. 47)("Motion"). The Court held a hearing on October 28, 2014. For the reasons provided at the hearing, the Court will deny the Motion.

**IT IS ORDERED** that Plaintiff ABQ Uptown, LLC's Motion for Order to Show Cause Why the Court Should Not Order the Sanction of Default Against Defendant Davide, filed July 23, 2014 (Doc. 47), is denied.

  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>This Order disposes of Plaintiff ABQ Uptown, LLC's Motion for Order to Show Cause Why the Court Should Not Order the Sanction of Default Against Defendant Davide, filed July 23, 2014 (Doc. 47). The Court may, however, at a later date issue a memorandum opinion more fully detailing its rationale for this decision.

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